



UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
[www.flmd.uscourts.gov](http://www.flmd.uscourts.gov)

**MEMORANDUM**

**UNITED STATES OF AMERICA**

**-vs-**

**Case No. 10-1348-01**

**ROBERT R. SACCO**

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DATE: November 4, 2010

**Your Case No.: 3:10-cr-178-MRB-1**

TO: United States District Court  
Southern District of Ohio  
85 Marconi Blvd., Room 121  
Columbus, Ohio 43215-2835

FROM: Maurya McSheehy, Courtroom Deputy for  
Donald P. Dietrich, United States Magistrate Judge  
(407) 835-3975  
U.S. Courthouse  
401 West Central Boulevard  
Orlando, Florida 32801

SUBJECT: Rule 5(c) Proceedings

The above-styled case originated in your division. Enclosed please find original documents regarding proceedings held in the Middle District of Florida in Orlando, Florida wherein the following action was taken:

INITIAL APPEARANCE: NOVEMBER 2, 2010

RELEASE/DETENTION: Conditions of Release were set and the Defendant was released on bond.

SCHEDULED HEARING: Upon notice by the charging district.

CHARGING DOCUMENT: Indictment

Enclosures

**U.S. District Court  
Middle District of Florida (Orlando)  
CRIMINAL DOCKET FOR CASE #: 6:10-mj-01348-DPD All  
Defendants  
Internal Use Only**

Case title: USA v. Sacco

Date Filed: 11/02/2010

Assigned to: Magistrate  
Judge Donald Paul Dietrich

**Defendant (1)**

**Robert R. Sacco**

represented by **Latour Rey Lafferty**  
Fowler White Boggs  
501 E Kennedy Blvd - Ste  
1700 (33602)  
PO Box 1438  
Tampa, FL 33601-1438  
813/222-1106  
Fax: 813/229-8313  
Email:  
ltlafferty@fowlerwhite.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE**  
**NOTICED**  
*Designation: Retained*

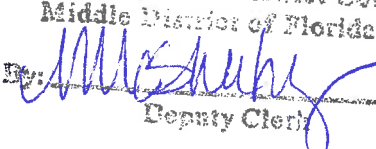
**Pending Counts**

None

**Highest Offense Level**  
**(Opening)**

None

**Disposition**

I certify the foregoing to be a true  
and correct copy of the original.  
**SHERYL L. JONES, Clerk**  
United States District Court  
Middle District of Florida  
By:   
Deputy Clerk

**Terminated Counts**

None

**Disposition**

**Highest Offense Level**  
**(Terminated)**

None

**Complaints**

**Disposition**

Count 1: Conspiracy to defraud the United states 18 U.S.C. 371; Count2: Conspiracy to commit mail fraud, wire fraud and money laundering 18 U.S.C. 1341, 1343, 1957 and 1349; Counts 3-12: Wire Fraud 18 U.S.C. 1343; Counts 14-52: Money Laundering 18 U.S.C. 1957; Counts 53-68: Attempt to evade tax 26 U.S.C. 7201

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**Plaintiff**

USA

represented by **LaKesia R. Mosley**  
US Attorney's Office - FLM\*  
Suite 300  
501 W Church St  
Orlando, FL 32805  
407/648/7500  
Fax: 407/648/7643  
Email:  
lakesia.mosley@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE*  
*NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
11/02/2010	<u>1</u>	Arrest - Rule 5(c) of Robert R. Sacco from Southern District of Ohio on charges of Count 1: Conspiracy to defraud the United States by Impeding and Impairing IRS 18 U.S.C. 371; Count 2: Conspiracy to Commit Mail fraud, wire fraud, money laundering 18 U.S.C. 1342, 1343, 1957 and 1349; Counts 3-12 Wire Fraud 18 U.S.C. 1343; Counts 14-52: Money laundering 18 U.S.C. 1957; Counts 53-68: Attempt to evade and defeat tax 26 U.S.C. 7201. (MAM) (Entered: 11/02/2010)
11/02/2010	<u>2</u>	Minute Entry for proceedings held before Magistrate Judge Donald Paul Dietrich: Initial Appearance in Rule 5 (c) Proceedings as to Robert R. Sacco held on 11/2/2010 Appearance entered by Latour Rey Lafferty for Robert R. Sacco on behalf of defendant. (DIGITAL) (MAM) (Entered: 11/02/2010)
11/02/2010	<u>3</u>	NOTICE of attorney appearance: Latour Rey Lafferty appearing for Robert R. Sacco. (MAM) (Entered: 11/02/2010)
11/02/2010	<u>4</u>	WAIVER of Rule 5(c) hearings by Robert R. Sacco. (MAM) (Entered: 11/02/2010)
11/02/2010	<u>5</u>	ORDER Setting Conditions of Release as to Robert R. Sacco (1). Signed by Magistrate Judge Donald Paul Dietrich on 11/2/2010. Copies mailed.(MAM) (Entered: 11/02/2010)
11/04/2010	<u>6</u>	TRANSFER Rule(5)(c) to Southern District of Ohio as to Robert R. Sacco. Original documents mailed to Southern District of Ohio. (MAM) (Entered: 11/04/2010)

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**UNITED STATES OF AMERICA**

**-vs-**

**Case No. 6:10-mj-1348-1**

**ROBERT R. SACCO**

**AUSA: LaKeisha Mosley  
Defense Atty.: L.T. Lafferty (RET)**

JUDGE	<b>Donald P. Dietrich</b> United States Magistrate Judge	DATE AND TIME	November 2, 2010 1:38 pm - 1:53 pm
DEPUTY CLERK	Maurya McSheehy	TAPE/REPORTER	DIGITAL
INTERPRETER	None	PRETRIAL/PROB:	Candace Bunk

**Clerk's Minutes  
INITIAL APPEARANCE ON 5(c)  
From the Southern District of Ohio**

**Defendant was arrested 11/1/10.**

Case called, appearances taken.

Procedural setting by the Court.

Defendant has retained counsel in Ohio.

L.T. Lafferty is representing defendant for this proceeding.

IRS Agent identified defendant.

Government summarizes charges.

Defendant admits identity.

Court advises defendant of charges and rights.

Government does not seek detention.

Court to enter order of removal and commitment.

Court directs defendant to surrender passport

Court sets conditions of release:

- \$50,000 unsecured bond

- travel restricted to the Middle District of Florida, Southern District of Ohio, and the Eastern District of New York.

- Pretrial supervision

- Surrender passport

- obtain no new passport

UNITED STATES DISTRICT COURT  
for the  
Middle District of Florida

USA  
Plaintiff  
v.  
Robert Sacco  
Defendant

Case No. 6:10-mj-1348-1

APPEARANCE OF COUNSEL

To: The clerk of court and all parties of record

I am authorized to practice in this court, and I appear in this case as counsel for:

Robert Sacco

Date: 11-2-10

[Signature]  
Attorney's signature

LATOUR LAFFERTY 975575  
Printed name and bar number

501 E. Kennedy Blvd. #1700  
TAMPA FL 33602  
Address

Ltlafferty@FowlerWhite.com  
E-mail address

813. 222. 1104  
Telephone number

813. 229. 8313  
FAX number

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

UNITED STATES OF AMERICA

-vs-

Case No. 6:10-1348-01  
Charging District's Case No. 3:10-cr-178-MRB-1

ROBERT R. SACCO

WAIVER OF RULE 5 & 5.1 HEARINGS  
(Complaint or Indictment)

I, understand that I have been charged in another district, the Southern District of Ohio

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise - unless I am indicted - to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed.R.Crim.P. 20, to plead guilty.

I AGREE TO WAIVE MY RIGHT TO:

- ☒ an identity hearing and production of the warrant.
- ☒ a preliminary hearing
- ☐ a detention hearing
- ☐ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

November 2, 2010

Signature of defendant's attorney

Printed name of defendant's attorney

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**UNITED STATES OF AMERICA**

**-vs-**

**Case No. 6: 10-1348-01**

**ROBERT R. SACCO**

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**ORDER SETTING  
CONDITIONS OF RELEASE**

**IT IS ORDERED** that the release of the defendant is subject to the following conditions and provisions:

- (1) The defendant **must not violate** any federal, state or local law while on release in this case.
- (2) The defendant **must cooperate** in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant **must immediately advise** the court, Pretrial Services Office, defense counsel and the U.S. Attorney in writing of any change in address and telephone number.
- (4) The defendant **must appear** at all proceedings as required and must surrender for service of any sentence imposed as directed. The defendant shall next appear in the United States Courthouse, 401 W. Central Boulevard, Orlando, FL 32801, in the Courtroom directed upon notice.

**ADDITIONAL CONDITIONS OF RELEASE**

In order reasonably to assure the appearance of the defendant and the safety of other persons and the community, it is **FURTHER ORDERED** that the release of the defendant is subject to the conditions marked below:

**Unsecured Financial Condition**

- The defendant executes an unsecured bond binding the defendant to pay the United States the sum of **\$50,000** in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.
- report as directed by the Pretrial Services Office.
- Surrender any **passport** to Clerk, U.S. District Court.
- Obtain no passport.
- Abide by the following restrictions on personal association, place of abode, or travel: Defendant is restricted in residence and travel to the Middle District of Florida, Southern District of Ohio, and Eastern District of New York.



## ADVICE OF PENALTIES AND SANCTIONS

### TO THE DEFENDANT:

### YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a Federal offense while on pretrial release may result in an additional sentence to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.


If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear may result in the forfeiture of any bond posted.

### ACKNOWLEDGMENT OF DEFENDANT

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.


  
\_\_\_\_\_  
Signature of Defendant  
6193 Valerian Blvd  
\_\_\_\_\_  
Address  
Orlando FL 32819  
\_\_\_\_\_  
City and State  
\_\_\_\_\_  
Telephone

407 488 3816

### DIRECTIONS TO THE UNITED STATES MARSHAL

- ☐ The defendant is **ORDERED** released after processing.
- ☒ The United States marshal is **ORDERED** to keep the defendant in custody until notified by the Clerk or Judicial Officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: November 2, 2010

  
DONALD P. DIETRICH  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

United States Marshal  
Counsel of Record: